

REMARKS

The Office Action of December 27, 2005 has been received and its contents reviewed. Applicants would like to thank the Examiner for the consideration given to the above-identified application and for acknowledging that previously withdrawn claims 63, 65, 68, 70, 73, 75, 78, 80, 83, 85, 88 and 90 have been rejoined.

Prior to this Amendment, claims 61-96, 101-109 and 131 were pending and claims 1-60, 97-100, 110-130 and 132-139 were canceled. By this Amendment, independent claims 61, 66, 71, 76, 91-94 and 101, have been amended, independent claims 81 and 86, as well as their respective dependent claims 82-85, 87-90, 95-96, 102-103 and 108-109, have been canceled without prejudice or disclaimer to the subject matter disclosed therein, and new claims 140-175 have been added. Accordingly, claims 61-80, 91-94, 101, 104-107, 131 and 140-175 are pending, of which claims 61, 66, 71, 76, 140-141, 151-154 and 164-165 are independent.

In the detailed Office Action, claims 61-96, 101-109 and 131 stand rejected under the judicially created doctrine obviousness-type double patenting as being unpatentable over claims 1-39 of U.S. Patent No. 6,261,856 to Shinohara et al. (hereafter Shinohara '856). In response, Applicants have cancelled independent claims 81 and 86 as well as their respective dependent claims 82-85, 87-90, 95-96, 102-103 and 108-109, as shown above, and, hence, the rejection of these canceled claims is rendered moot.

Further, Applicants have amended independent claims 61, 66, 71 and 76, as shown above, to recite additional limitations so as further distinguish the claimed invention over claims 1-39 of Shinohara '856 and to further clarify the claim language. Additionally, 91-94 and 101 have been amended to further clarify the claim language by changing the preposition "in" to "along".

Further, MPEP 804 (page 800-22 Aug. 2001 Edition) states the following:

Any obviousness-type double patenting rejection should make clear:

(A) The differences between the inventions defined by the conflicting claims — a claim in the patent compared to a claim in the application; and

(B) The reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim in issue is an obvious variation of the invention defined in a claim in the patent.

When considering whether the invention defined in a claim of an application is an obvious variation of the invention defined in the claim of a patent, the disclosure of the patent may not be used as prior art. This does not mean that one is precluded from all use of the patent disclosure.

Accordingly, the burden is on the Office to establish why one of ordinary skill in the art would conclude that the invention recited in the instant claims 61-80, 91-94, 101, 104-107 and 131 is an obvious variant of the invention recited in claims 1-39 of the Shinohara '856 patent. That is, there must be a suggestion or teaching in the prior art that would motivate one of ordinary skill in the art to modify the invention recited in claims 1-39 of Shinohara '856 to reach the invention recited in the instant claims 61-80, 91-94, 101, 104-107, 131. With the amendment of claims 61, 66, 71 and 76 above, Applicants respectfully submit that the Examiner has a burden to make clear points (A) and (B) as stated in the MPEP.

Further, Applicants have added new claims 140-175, as shown above, to further complete the scope to which Applicants are entitled. The newly added claims also distinguish over claims 1-39 by including features not recited in the claims of Shinohara '856.

Support for the step of removing an insulating layer comprising silicon oxide from an upper surface of the crystallized semiconductor layer, as recited claims 61, 71 and 151, can be found at least on, e.g., page 12, line 1 of the specification.

Support for the amended feature wherein the non-single crystalline semiconductor layer is substantially intrinsic and doped with a dopant selected from the group consisting of boron and arsenic, as recited in claims 66, 76 and 152, can be found at least on, e.g., page 10, lines 23-24 of the specification.

Support for the feature wherein the gate insulating film covers a surface of the ion blocking film, and the surface is exposed between the plurality of semiconductor islands, as recited in new independent claims 140, 153 and 164, can be found at least in, e.g., Fig. 7C.

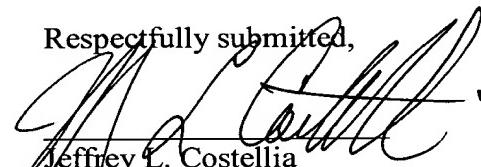
Support for the feature of a metal gate electrode and introducing an impurity into portions of the semiconductor islands to form source and drain regions in each with the gate metal electrodes used as a mask, as recited in new claims 141, 154 and 165, can be found at least on, e.g., page 12, lines 5-11 of the specification.

With respect to the limitation "moving a relative location of said substrate to the condensed laser beam", as recited in amended claims 61, 66, 71 and 76, as well as in new claims 151-152, the specification teaches that either one of the laser optical system or substrate may be moved, as shown at least on, e.g., page 11, lines 26-27. Further, new dependent claims 149, 162 and 173, for example, recite that the substrate is moved.

Applicants note that claims 151-163, which are directed to a method of manufacturing a plurality of thin film, respectively, parallel claims 71, 76, and 164-174, which are directed to a method of manufacturing an active matrix display device having an active matrix circuit and a peripheral circuit. Further, claims 61, 66, 140-150, which are directed to a method of manufacturing an active matrix display device having an active matrix circuit and a driving circuit, respectively, parallel claims 151-163.

In view of the amendments and arguments set forth above, Applicants respectfully request reconsideration and withdrawal of the pending double patenting rejection.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,

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